

AMENDMENT TO RULES COMMITTEE PRINT

117–54

**OFFERED BY MRS. CAROLYN B. MALONEY OF
NEW YORK**

Add at the end of title XI the following:

1 Subtitle B—PLUM Act of 2022

2 SEC. 1121. SHORT TITLE.

3 This subtitle may be cited as the “Periodically List-
4 ing Updates to Management Act of 2022” or the “PLUM
5 Act of 2022”.

**6 SEC. 1122. ESTABLISHMENT OF PUBLIC WEBSITE ON GOV-
7 ERNMENT POLICY AND SUPPORTING POSI-
8 TIONS.**

9 (a) ESTABLISHMENT.—

10 (1) IN GENERAL.—Subchapter I of chapter 33
11 of title 5, United States Code, is amended by adding
12 at the end the following:

**13 “§ 3330f. Government policy and supporting position
14 data**

15 “(a) DEFINITIONS.—In this section:

16 “(1) AGENCY.—The term ‘agency’ means—

1 “(A) any Executive agency, the United
2 States Postal Service, and the Postal Regu-
3 latory Commission;

4 “(B) the Architect of the Capitol, the Gov-
5 ernment Accountability Office, the Government
6 Publishing Office, and the Library of Congress;
7 and

8 “(C) the Executive Office of the President
9 and any component within that Office (includ-
10 ing any successor component), including—

11 “(i) the Council of Economic Advi-
12 sors;

13 “(ii) the Council on Environmental
14 Quality;

15 “(iii) the National Security Council;

16 “(iv) the Office of the Vice President;

17 “(v) the Office of Policy Development;

18 “(vi) the Office of Administration;

19 “(vii) the Office of Management and
20 Budget;

21 “(viii) the Office of the United States
22 Trade Representative;

23 “(ix) the Office of Science and Tech-
24 nology Policy;

1 “(x) the Office of National Drug Con-
2 trol Policy; and

3 “(xi) the White House Office, includ-
4 ing the White House Office of Presidential
5 Personnel.

6 “(2) APPOINTEE.—The term ‘appointee’—

7 “(A) means an individual serving in a pol-
8 icy and supporting position; and

9 “(B) includes an individual serving in such
10 a position temporarily in an acting capacity in
11 accordance with—

12 “(i) sections 3345 through 3349d
13 (commonly referred to as the ‘Federal Va-
14 cancies Reform Act of 1998’);

15 “(ii) any other statutory provision de-
16 scribed in section 3347(a)(1); or

17 “(iii) a Presidential appointment de-
18 scribed in section 3347(a)(2).

19 “(3) COVERED WEBSITE.—The term ‘covered
20 website’ means the website established and main-
21 tained by the Director under subsection (b).

22 “(4) DIRECTOR.—The term ‘Director’ means
23 the Director of the Office of Personnel Management.

24 “(5) POLICY AND SUPPORTING POSITION.—The
25 term ‘policy and supporting position’—

1 “(A) means any position at an agency, as
2 determined by the Director, that, but for this
3 section and section 2(b)(3) of the PLUM Act of
4 2022, would be included in the publication enti-
5 tled ‘United States Government Policy and
6 Supporting Positions’ (commonly referred to as
7 the ‘Plum Book’); and

8 “(B) may include—

9 “(i) a position on any level of the Ex-
10 ecutive Schedule under subchapter II of
11 chapter 53, or another position with an
12 equivalent rate of pay;

13 “(ii) a general position (as defined in
14 section 3132(a)(9)) in the Senior Execu-
15 tive service;

16 “(iii) a position in the Senior Foreign
17 Service;

18 “(iv) a position of a confidential or
19 policy-determining character under sched-
20 ule C of subpart C of part 213 of title 5,
21 Code of Federal Regulations, or any suc-
22 cessor regulation; and

23 “(v) any other position classified at or
24 above level GS–14 of the General Schedule
25 (or equivalent) that is excepted from the

1 competitive service by law because of the
2 confidential or policy-determining nature of
3 the position duties.

4 “(b) ESTABLISHMENT OF WEBSITE.—Not later than
5 1 year after the date of enactment of the PLUM Act of
6 2022, the Director shall establish, and thereafter the Di-
7 rector shall maintain, a public website containing the fol-
8 lowing information for the President in office on the date
9 of establishment and for each subsequent President:

10 “(1) Each policy and supporting position in the
11 Federal Government, including any such position
12 that is vacant.

13 “(2) The name of each individual who—

14 “(A) is serving in a position described in
15 paragraph (1); or

16 “(B) previously served in a position de-
17 scribed in such paragraph under the applicable
18 President.

19 “(3) Information on—

20 “(A) any Government-wide or agency-wide
21 limitation on the total number of positions in
22 the Senior Executive Service under section
23 3133 or 3134 or the total number of positions
24 under schedule C of subpart C of part 213 of
25 title 5, Code of Federal Regulations; and

1 “(B) the total number of individuals occu-
2 pying such positions.

3 “(c) CONTENTS.—With respect to any policy and
4 supporting position listed on the covered website, the Di-
5 rector shall include—

6 “(1) the agency, and agency component, (in-
7 cluding the agency and bureau code used by the Of-
8 fice of Management and Budget) in which the posi-
9 tion is located;

10 “(2) the name of the position;

11 “(3) the name of the individual occupying the
12 position (if any);

13 “(4) the geographic location of the position, in-
14 cluding the city, State or province, and country;

15 “(5) the pay system under which the position is
16 paid;

17 “(6) the level, grade, or rate of pay;

18 “(7) the term or duration of the appointment
19 (if any);

20 “(8) the expiration date, in the case of a time-
21 limited appointment;

22 “(9) a unique identifier for each appointee;

23 “(10) whether the position is vacant; and

24 “(11) for any position that is vacant—

1 “(A) for a position for which appointment
2 is required to be made by the President, by and
3 with the advice and consent of the Senate, the
4 name of the acting official; and

5 “(B) for other positions, the name of the
6 official performing the duties of the vacant po-
7 sition.

8 “(d) CURRENT DATA.—For each agency, the Direc-
9 tor shall indicate in the information on the covered website
10 the date that the agency last updated the data.

11 “(e) FORMAT.—The Director shall make the data on
12 the covered website available to the public at no cost over
13 the internet in a searchable, sortable, downloadable, and
14 machine-readable format so that the data qualifies as an
15 open Government data asset, as defined in section 3502
16 of title 44.

17 “(f) AUTHORITY OF DIRECTOR.—

18 “(1) INFORMATION REQUIRED.—Each agency
19 shall provide to the Director any information that
20 the Director determines necessary to establish and
21 maintain the covered website, including the informa-
22 tion uploaded under paragraph (4).

23 “(2) REQUIREMENTS FOR AGENCIES.—Not
24 later than 1 year after the date of enactment of the
25 PLUM Act of 2022, the Director shall issue instruc-

1 tions to agencies with specific requirements for the
2 provision or uploading of information required under
3 paragraph (1), including—

4 “(A) specific data standards that an agen-
5 cy shall follow to ensure that the information is
6 complete, accurate, and reliable;

7 “(B) data quality assurance methods; and

8 “(C) the timeframe during which an agen-
9 cy shall provide or upload the information, in-
10 cluding the timeframe described under para-
11 graph (4).

12 “(3) PUBLIC ACCOUNTABILITY.—The Director
13 shall identify on the covered website any agency that
14 has failed to provide—

15 “(A) the information required by the Di-
16 rector;

17 “(B) complete, accurate, and reliable infor-
18 mation; or

19 “(C) the information during the timeframe
20 specified by the Director.

21 “(4) ANNUAL UPDATES.—

22 “(A) IN GENERAL.—Not later than 90
23 days after the date on which the covered
24 website is established, and not less than once
25 during each year thereafter, the head of each

1 agency shall upload to the covered website up-
2 dated information (if any) on—

3 “(i) the policy and supporting posi-
4 tions in the agency;

5 “(ii) the appointees occupying such
6 positions in the agency; and

7 “(iii) the former appointees who
8 served in such positions in the agency
9 under the President then in office.

10 “(B) SUPPLEMENT NOT SUPPLANT.—In-
11 formation provided under subparagraph (A)
12 shall supplement, not supplant, previously pro-
13 vided information under that subparagraph.

14 “(5) OPM HELP DESK.—The Director shall es-
15 tablish a central help desk, to be operated by not
16 more than 1 full-time employee, to assist any agency
17 with implementing this section.

18 “(6) COORDINATION.—The Director may des-
19 ignate 1 or more agencies to participate in the devel-
20 opment, establishment, operation, and support of the
21 covered website. With respect to any such designa-
22 tion, the Director may specify the scope of the re-
23 sponsibilities of the agency so designated.

24 “(7) DATA STANDARDS AND TIMING.—The Di-
25 rector shall make available on the covered website

1 information regarding data collection standards,
2 quality assurance methods, and time frames for re-
3 porting data to the Director.

4 “(8) REGULATIONS.—The Director may pre-
5 scribe regulations necessary for the administration
6 of this section.

7 “(g) RESPONSIBILITY OF AGENCIES.—

8 “(1) PROVISION OF INFORMATION.—Each agen-
9 cy shall comply with the instructions and guidance
10 issued by the Director to carry out this section, and,
11 upon request of the Director, shall provide appro-
12 priate assistance to the Director to ensure the suc-
13 cessful operation of the covered website in the man-
14 ner and within the timeframe specified by the Direc-
15 tor under subsection (f)(2).

16 “(2) ENSURING COMPLETENESS, ACCURACY,
17 AND RELIABILITY.—With respect to any submission
18 of information described in paragraph (1), the head
19 of an agency shall include—

20 “(A) an explanation of how the agency en-
21 sured the information is complete, accurate,
22 and reliable; and

23 “(B) a certification that the information is
24 complete, accurate, and reliable.

25 “(h) INFORMATION VERIFICATION.—

1 “(1) CONFIRMATION.—

2 “(A) IN GENERAL.—On the date that is 90
3 days after the date on which the covered
4 website is established, the Director, in coordina-
5 tion with the White House Office of Presi-
6 dential Personnel, shall confirm that the infor-
7 mation on the covered website is complete, ac-
8 curate, reliable, and up-to-date.

9 “(B) CERTIFICATION.—On the date on
10 which the Director makes a confirmation under
11 subparagraph (A), the Director shall publish on
12 the covered website a certification that the con-
13 firmation has been made.

14 “(2) AUTHORITY OF DIRECTOR.—In carrying
15 out paragraph (1), the Director may—

16 “(A) request additional information from
17 an agency; and

18 “(B) use any additional information pro-
19 vided to the Director or the White House Office
20 of Presidential Personnel for the purposes of
21 verification.

22 “(3) PUBLIC COMMENT.—The Director shall es-
23 tablish a process under which members of the public
24 may provide feedback regarding the accuracy of the
25 information on the covered website.

1 “(i) DATA ARCHIVING.—

2 “(1) IN GENERAL.—As soon as practicable
3 after a transitional inauguration day (as defined in
4 section 3349a), the Director, in consultation with
5 the Archivist of the United States, shall archive the
6 data that was compiled on the covered website for
7 the preceding presidential administration.

8 “(2) PUBLIC AVAILABILITY.—The Director
9 shall make the data described in paragraph (1) pub-
10 licly available over the internet—

11 “(A) on, or through a link on, the covered
12 website;

13 “(B) at no cost; and

14 “(C) in a searchable, sortable,
15 downloadable, and machine-readable format.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions for subchapter I of chapter 33 of title 5,
18 United States Code, is amended by adding at the
19 end the following:

“3330f. Government policy and supporting position data.”.

20 (b) OTHER MATTERS.—

21 (1) DEFINITIONS.—In this subsection, the
22 terms “agency”, “covered website”, “Director”, and
23 “policy and supporting position” have the meanings
24 given those terms in section 3330f of title 5, United
25 States Code, as added by subsection (a).

1 (2) GAO REVIEW AND REPORT.—Not later than
2 1 year after the date on which the Director estab-
3 lishes the covered website, the Comptroller General
4 of the United States shall conduct a review of, and
5 issue a briefing or report on, the implementation of
6 this subtitle and the amendments made by this sub-
7 title, which shall include—

8 (A) the quality of data required to be col-
9 lected and whether the data is complete, accu-
10 rate, timely, and reliable;

11 (B) any challenges experienced by agencies
12 in implementing this subtitle and the amend-
13 ments made by this subtitle; and

14 (C) any suggestions or modifications to en-
15 hance compliance with this subtitle and the
16 amendments made by this subtitle, including
17 best practices for agencies to follow.

18 (3) SUNSET OF PLUM BOOK.—Beginning on
19 January 1, 2026—

20 (A) the covered website shall serve as the
21 public directory for policy and supporting posi-
22 tions in the Government; and

23 (B) the publication entitled “United States
24 Government Policy and Supporting Positions”,

1 commonly referred to as the “Plum Book”,
2 shall no longer be issued or published.

3 (4) FUNDING.—

4 (A) IN GENERAL.—No additional amounts
5 are authorized to be appropriated to carry out
6 this subtitle or the amendments made by this
7 subtitle.

8 (B) OTHER FUNDING.—The Director shall
9 carry out this subtitle and the amendments
10 made by this subtitle using amounts otherwise
11 available to the Director.

